



COMMONWEALTH of VIRGINIA

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

JAMES S. REINHARD, M.D.
COMMISSIONER

Post Office Box 1797
Richmond, Virginia 23218-1797

Telephone (804) 786-3921
Voice/TDD (804) 371-8977
www.dmhmrzas.virginia.gov

TO: Interested Persons

FROM: Wendy Brown, Policy Analyst
Office of Planning and Development

SUBJECT: Emergency Regulations for Providers of Mental Health, Mental Retardation and
Substance Abuse Residential Services for Children,
12 VAC 35-45-25

DATE: December 8, 2005

This is to advise you that the above-referenced emergency regulations became effective on December 2, 2005. These regulations implement Chapter 363 of the 2005 Virginia Acts of Assembly and establish procedures for issuing an order of summary suspension of a provider's license to operate a group home or residential facility for children when there is an immediate and substantial threat to the health safety and welfare of residents.

According to Virginia's Administrative Process Act, emergency regulations may remain effective for a maximum of twelve months. Therefore, the agency has also initiated the process for adopting regulations on a permanent basis by submitting a Notice of Intended Regulatory Action (NOIRA) for publication in the Virginia Register. This NOIRA will be published on December 26, 2005, and requests your comments to assist the agency to develop the permanent regulations.

Please submit your comments in writing no later than January 25, 2006 to Leslie Anderson, Director of the Office of Licensing, by mail at the above address, e-mail leslie.anderson@co.dmhmrzas.virginia.gov or via fax (804) 692-0066. You may obtain a copy of the emergency regulations on the Department's website at www.dmhmrzas.virginia.gov or by contacting Wendy Brown, via e-mail at wendy.brown@co.dmhmrzas.virginia.gov or by telephone at (804) 225-2252.

Thank you for your interest and participation in this regulatory process.

pc: Leslie Anderson